

**Selectively Sacred:  
Holy Sites in Jerusalem and its Environs**

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عمق شبیه

Emek Shaveh

מל"ג (ש"ל) ע"פ

**2016**

April 2016

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Emek Shaveh is an organization of archaeologists and heritage professionals focusing on the role of tangible cultural heritage in Israeli society and in the Israeli-Palestinian conflict. We view archaeology as a resource for strengthening understanding between different peoples and cultures.

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This publication was produced by Emek Shaveh (A public benefit corporation) with the support of the Norwegian Embassy in Israel, the Federal Department for Foreign Affairs Switzerland (FDFA) and the Irish Foreign Ministry. Responsibility for the information contained in this report belongs exclusively to Emek Shaveh. This information does not represent the opinions of the abovementioned donors.

## **Table of contents**

Introduction	5
Definition of Holy Places until 1948	6
Definition of the Holy Places since the Establishment of the State of Israel	7
Actual Recognition of Places as Holy to Jews through Budgeting, Management and Operation	13
Legal Non-recognition of the Holy Places and its impact on their Management of All of the Holy Places on Enforcement	18
The Antiquities Authority and the Holy Places	20
Summary	27
Annex	28
Maps	30



Tomb of Absalom in Kidron Valley

## Introduction

In this document, we examine how the Israeli government authorities and legal system address the issue of holy places. The government, legal and judicial authorities in Israel attempt to reconcile a variety of components, namely the historical principles that they inherited from the Ottomans and the British, the fundamental rights of equality and freedom of religion, and international legislation, with the longstanding policy of the governments of Israel: preference for and expansion of holy sites for Jews throughout the country and particularly in Jerusalem. As will be shown, the Israeli legislative and judiciary system is committed – wittingly or unwittingly – to validating the intensive political activities by successive Israeli governments geared towards solidifying and strengthening the Jewish identity of the holy sites.

The “Holy Land” is a term that relates to Israel/Palestine, which originated, as far as we know, in the Byzantine period, during the 4<sup>th</sup> c. CE. The holiness attributed to this geographical area by billions of believers around the world has an effect on the Israeli-Palestinian conflict, and attracts much international involvement. Most of the holy sites in Israel, also considered archaeological sites, are holy to more than one religion. The holiness of a place is maintained for years despite ethnic, cultural and religious shifts in the composition of the population (a fascinating phenomenon, an analysis of which is beyond the scope of the present paper).

The system of laws and regulations dealing with the list of holy sites in Israel, and defining holy sites and balancing the various religious interests, is based on decisions that harken back to the Ottoman Period. Israel passed the Protection of Holy Places Law – 1967, inter alia in order to allay international critique regarding the annexation of Jerusalem. Only in 1981, in parallel to the legislation of a “basic law” declaring Jerusalem the capital of Israel, were regulations passed regarding the preservation of sites holy to Jews. These regulations included a list of 16 such sites. Apparently, it was no coincidence that laws and regulations relating to the holy sites were instated in parallel to historical decisions by the government relating to the status of Jerusalem. To this day, these laws serve to present Israel as responsible for upholding the rights of the members of the various religions at the sites in its territory. At the same time, at the sites themselves, extensive activity is being carried out to strengthen an exclusive Jewish identity, even at the cost of excluding members of other religions.

Since many holy sites are also antiquities sites there is, ostensibly, a conflict of interest between public bodies that are in charge of the preservation of antiquities, and religious entities, which aim to render these places as sites dedicated to conducting religious ceremonies. Despite this, however, it seems that in the reality of contemporary Israel, the Israel Antiquities Authority and the religious entities collaborate, and together are

changing the holy sites. This process has particularly been accelerated at the holy sites of Jerusalem, and is changing the character of the city and pushing other religions aside.

## Definition of Holy Places until 1948

In Israeli and international law, there is no comprehensive definition of what constitutes a “holy place.” The holy places in Israel were initially defined as such by being included in ad hoc lists prepared by the Ottoman regime, the British Mandate and the UN and even became the basis for the principle of the “status quo.”

The Ottoman status quo was determined in decrees by the sultan in 1852 and 1853, regarding seven places holy to Christians in Jerusalem and Bethlehem. The orders determined that the state of the rights to maintain possession, worship and access for the various Christian sects would remain as they were when the orders were issued, and that no changes were to be instituted therein.<sup>1</sup>

Paragraph 13 of the British Mandate for Palestine<sup>2</sup> placed responsibility for the holy places and other religious places (buildings and sites) in Palestine on the mandatory power. Its responsibility applied to “existing rights” to ensure freedom of access and freedom of worship at these places.

In order to protect the status quo, the British Mandatory government determined in 1924 that every trial or matter involving the holy places, religious buildings and religious sites, and rights and claims of the various religious ethnicities in Israel,<sup>3</sup> would not be determined in court.

In 1929, Lionel Cust, formerly in charge of the Jerusalem district, prepared a secret report for the Mandatory government entitled “The Status Quo in the Holy Places.”<sup>4</sup> The report was intended to assist mandatory clerks in making decisions regarding the interpretation and application of the status quo in holy places. The report addressed various rights reserved for the Christian sects in the places holy to Christianity (the Church of the Holy Sepulcher, the site of the Ascension at the summit of the Mount of Olives, the Church of the Sepulcher of Saint Mary at Gethsemane, and the Church of

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1) Amnon Ramon, “The Holy Places and the Historic Basin,” in *Jerusalem’s Historic Basin, Problems and Alternative Solutions*. Think Tank headed by Ruth Lapidot, ed., Amnon Ramon. Jerusalem: Jerusalem Institute for Israel Studies, 2007, 199-232 [Heb.].

2) [Full text of “Mandate for Palestine”](#)

3) King’s Order in Council on Palestine (Holy Places), 1924.

4) S.L.G.A. Cust, [The Status Quo in the Holy Places](#).

the Nativity in Bethlehem). These rights were described in great detail due to the many conflicts between the various sects. In addition, the report addressed the status quo at Rachel's Tomb and the Western Wall.

Following the riots of 1929, which arose, among other reasons, due to disagreements regarding the rights of the Jews at the Western Wall, a British commission of inquiry was established and, at its recommendation, an international commission of inquiry, which determined the various rights of Muslims and Jews at the Western Wall. The recommendations went into effect in 1931, in the mandatory law known as the "Order in Council on Palestine (Eretz Israel) (Western Wall)", which was cancelled after the establishment of the state.<sup>5</sup>

## **Definition of the Holy Places since the Establishment of the State of Israel**

The Israeli Declaration of Independence of May 14, 1948 stipulated that the State of Israel "will safeguard the holy places of all religions," but at that time, the most important of them – the Western Wall, Rachel's Tomb, the Cave of the Patriarchs, the Temple Mount, and the Church of the Holy Sepulcher – were under Jordanian-Hashemite rule.

On December 11, 1948, the UN General Assembly passed Resolution 194,<sup>6</sup> a decision that called for the protection of holy places in the area of the former British Mandate in Palestine/Eretz Israel, and for ensuring free access to them, in keeping with the existing rights and historical practice. The decision did not specify to what holy places it related. Therefore, on April 8, 1949, the UN Conciliation Commission for Palestine published a list of 97 holy places in Jerusalem and dozens of holy places outside of Jerusalem, including Muslim and Jewish sites.<sup>7</sup>

Following the occupation of the West Bank in 1967, in parallel to the application of Israeli law over East Jerusalem,<sup>8</sup> and in order to allay international criticism regarding the annexation of East Jerusalem, the State of Israel passed the Protection of Holy Places

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5) See HCJ 222/68, 15/69 חמ, **Hugim Leumiim Registered Non-Profit et al v. Minister of Police**, PD 24(2) 141; par. 3 Annulment of Obsolete Legislation Law – 1984, determined that "it is not and never was valid."

6) Israel Ministry of Foreign Affairs, [United Nations General Assembly Resolution 194 -III--11-Dec-48](#)

7) <http://domino.un.org/pdfs/AAC25ComJerW14.pdf>

8) Enacted through a government order and amendment No. 10 of June 28, 1967 to the Law and Administration Ordinance, 1948, which added paragraph 11b, according to which "the law, jurisdiction and administration of the State shall extend to any area of Eretz Israel designated by the Government by order."

Law – 1967,<sup>9</sup> whose first paragraph states that **“The Holy Places shall be protected from desecration and any other violation and from anything likely to violate the freedom of access of the members of the different religions to the places sacred to them or their feelings with regard to those places.”** Paragraph 1 of Basic Law: Jerusalem Capital of Israel,<sup>10</sup> 1981, also employs this wording.

The Protection of Holy Places Law does not define what constitutes a holy place or what criteria are used for determining a holy place, and does not specify a list of holy places in Israel and East Jerusalem. Only in 1981, in parallel to the legislation of Basic Law: Jerusalem Capital of Israel, were the Regulations for the Protection of Holy Places for Jews - 1981 instituted,<sup>11</sup> which included a list of 16 such places – the Western Wall and its plaza, including every building and aboveground or underground passage entered from the plaza area, and places holy to Jews according to the list in the addendum (of those in Jerusalem: Cave of Simon the Just, Cave of the Small Sanhedrin, Tomb of Rabbi Ovadiah of Bartenura, Tomb of Zachariah the Prophet and Absalom’s Tomb). Regulation 2(a) specified a long list of prohibited activities in these places, including desecration of the Sabbath and Jewish holidays. It was not enough that the State of Israel changed the surface of the areas in the vicinity of the Western Wall (demolition of the Mughrabi Neighborhood in order to expand the plaza) – it also instituted regulations stipulating that the place is holy to Jews only, and as such, violated the status quo set forth in the document of Lionel Cust in 1929, a document written in the context of the debate regarding the rights of Jews and Muslims in the area of the Western Wall Plaza.

The provision of Par. 4 of the Protection of Holy Places Law, 1967, stipulates that: **“The Minister of Religious Affairs is charged with the implementation of this Law, and he may, after consultation with, or upon the proposal of, representatives of the religions concerned and with the consent of the Minister of Justice make regulations as to any matter relating to such implementation.”** Although the court reconfirmed the principal of the protection of the status quo, it was stated in HCJ ruling 257/89<sup>12</sup> that the Regulations for the Protection of Holy Places for Jews were instituted after consulting only with the Chief Rabbis. The court ruled that representatives of the religions relevant to this matter are the Chief Rabbis, since the Chief Rabbinate is “the supreme halakhic authority of the state.” The court even presented an example, according to which if the Minister of Religious Affairs wished to institute regulations regarding the right to pray on the Temple Mount, he would have to take counsel with the Chief Rabbis as

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9) [Protection of Holy Places Law](#), 1967.

10) [Basic Law :Jerusalem ,Capital of Israel](#), 1981.

11) [Regulation for the Protection of Holy Places for Jews](#) – 1981 [Heb.].

12) HCJ 257/89, *Anat Hoffman v. Western Wall Commissioner* (published in Nevo, January 26, 1994).



well as with the heads of the Muslim faith.<sup>13</sup> As will be specified below in this position paper, this is an assertion that ignores the far-reaching implications of the regulations, and sets aside large portions of the Old City for Jews only. In addition, it ignores the claims of members of the Muslim faith to rights at the Western Wall and its environs (according to Muslim tradition, the Western Wall is identified as the place where the Prophet Muhammad tied his mythical horse, which he rode through the heavens from Mecca to Jerusalem). Therefore, these regulations required consultation with the representatives of other religions.

The definition of the Regulations for the Protection of Holy Places stipulates that every aboveground and underground passage that can be entered from the Western Wall Plaza will also be considered holy. Therefore, it seems that these regulations, instituted close to the opening of the Western Wall Tunnels to the public in the early 1980s (excavations began there under the direction of the Ministry of Religion in 1969) essentially “sanctified” the entire area, allocating it to Judaism, and giving Jews exclusivity to it through the Western Wall Tunnels and their annexes, including considerable portions of the Muslim and Christian Quarters (one of the openings to the tunnels is in the heart of the Via Dolorosa). A long list of prohibitions applies to the tunnels, which are continuing to expand and develop as these lines are being written, including a prohibition against desecrating the Sabbath and Jewish holidays, determined in the provision of Regulation 2(a) of the Regulations for the Protection of Holy Places for Jews. The strictures were even increased in 1989, when the regulations were updated and amended, and Regulation 2(a) (1a) was added, prohibiting “**conducting a religious ceremony that deviates from the traditional practice at the location, which is harmful to the feelings of the worshippers vis-a-vis the location**” (Regulation instituted by then Minister of Religion, as part of the struggle against Women of the Wall.)

With the exception of the 16 holy places enumerated in the Regulations for the Protection of Holy Places for Jews, the State of Israel has refrained from stipulating additional holy places for Jews or holy places for other religions in law or through regulations. This policy was confirmed by the Supreme Court in a petition submitted by Adalah in 2004<sup>14</sup> – The Legal Center for Arab Minority Rights in Israel, together with others.

The petition was submitted in response to the neglect and desecration of Muslim holy places, and pursuant to it, the court was asked to order the Minister of Religious Affairs to exercise his authority over holy sites according to Par. 4 for the Law for the Protection of Holy Sites, and to institute regulations to preserve them, just as he did with respect

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13) Par. 59, *ibid.*

14) H CJ 10532/04 Sheikh Abdallah Nimr Darwish v. Minister of Religions Affairs (published in Nevo, March 9, 2009).

to the Jewish holy sites. In response to the petition,<sup>15</sup> the state claimed that declaring a location as a “Holy Place” according to law was not a necessary condition for applying the essential provisions of the law in practice. The state further claimed that holy place status had no actual budgetary significance, and that since 1981, the Ministry of Justice had rejected various attempts to expand the list of holy places for Jews.

In the ruling of September 3, 2009, which rejected the petition, the court accepted the state’s position, ruling that there was no need for regulations to formally recognize the Muslim holy places in order to treat them as such in practice: **“After hearing the arguments of the parties and reading the claims, we were convinced that the institution of regulations according to the Protection of Holy Places Law – 1967, is not an essential condition for ensuring protection and respect for the holy places. We reached this conclusion both based on the historical background of the law, the circumstances of its legislation, the law’s wording and its application. The definition of a list of holy places is a complex and charged matter not only in the case of holy places for Muslims, but also when, according to law, it is necessary to declare holy places for all of the religions, and even for the Jews. The addendum that specifies holy places for the Jews is partial, and we have been told that for various reasons, the task of determining places worthy of being included in the regulations has been suspended even in relation to holy places for Jews, the actual list for which is longer than that appearing in the addendum to the regulations.”**

It should be noted that in the ruling from September 15, 1970, HCJ 222/68,<sup>16</sup> Justice and Acting President of the Court Moshe Zilberg believed that the petition against preventing Jewish prayer on the Temple Mount should be rejected since it was impossible to implement the Protection of Holy Places Law without instituting regulations defining how the right to prayer on the Temple Mount should actually take place, since it was a place holy to two peoples, Jewish and Muslim. Since the petitioners did not ask the minister to institute such regulations, the judge ruled that their petition should be rejected.<sup>17</sup> In other words, Justice Zilberg’s position expressed the need for a formal arrangement with regulations for freedom of worship on the Temple Mount, but, as stated, his position was not accepted, and the positions of the justices of the Supreme Court in the Adalah petition determined that there was no need for a formal arrangement in law or regulations recognizing and enumerating rights in the holy places.

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15) State’s Memorandum of Main Arguments, HCJ 10532/04, March 8, 2009.

16) HCJ 222/68, 15/69 **חמ"ל Hugim Leumim Registered Non-Profit et al v. Minister of Police**, PD 24(2) 141.

17) Ruling, 153-156, Ibid.

To date, attempts to advance legislation in the Knesset for formal recognition of places holy to Muslims have not succeeded. For example, in 2014, a proposed law was submitted for the establishment of an authority for the development of places holy to Muslims<sup>18</sup> (following a similar proposed law from 2008). The explanation of the proposed law stated that its goal was **“To fill the vacuum that exists in the realm of rights and religious services for the members of the Muslim ethnicity in Israel. Since the establishment of the state, there has been no official entity whose job was to work for the preservation and proper maintenance of dozens of mosques, cemeteries and tombs of Muslim saints located in areas where Muslims no longer live. These places have been subject to ongoing neglect in a manner unbefitting an enlightened country. The State of Israel, which attends to the care of holy places for Jews in Israel, and demands that other countries respect places holy to Jews on their territory, must take care of the places holy for the Muslim religion. The country runs and operates a governmental organization that develops holy places for Jews (including some 120 tombs of *tzaddikim* which last year received 20 million New Israeli Shekels in funds). The regulations defining the holy places according to the Protection of Holy Places Law were legislated only for Jewish places, and therefore, places holy to members of other religions are not protected by law and it is impossible under the Protection of the Holy Places Law to punish those who bring harm to them.”**

The above rulings illustrate the artificial distinction made by the Supreme Court when it limited its jurisdiction in discussing the issue of the holy places.<sup>19</sup> According to the Supreme Court’s definition, its authority applies to a discussion about maintaining public order, the prevention of criminal acts in holy places, freedom of access to holy places, the obligation to protect holy places from desecration, and the obligation to protect the feelings of the members of the religions to the places holy to them, but does not include a discussion of the freedom of worship in these places. In practice, the discussions and rulings of the HCJ regarding the protection of the public order, freedom of access to holy places and the need to anchor the list of holy places of other religions in regulations have been detrimental to freedom of worship and have contributed to the expansion of the exclusive rights of Jews therein.

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18) A. Sarsur, M. Ghanaim, T. Abu-‘Arar, A. Tibi, A. Freij, [Proposed Law for the Establishment of an Authority for the Development of Holy Places for Muslims](#), 2014, 19<sup>th</sup> Knesset.

19) See ruling in HCJ 257/89, 298, **Anat Hoffman** cited above, regarding interpretation of Palestine (Holy Places) Order in Council, 1924.



Zechariah's Tomb (right) and Tomb of Benei Hezir



Underground section in Muslim Quarter - Part of Ohel Itzhak area

## **Actual Recognition of Places as Holy to Jews through Budgeting, Management and Operation**

As stated, with the exception of the 16 places specified in the Regulations for the Preservation of Holy Places for Jews, the laws and regulations of the State of Israel grant no formal recognition of additional holy places for Jews or for other religions. This intentional ambiguity has enabled the state authorities to channel budgetary resources, and handle operation and management as they please, and in so doing to relate to some places as holy to other religions, and other places which are also holy to other religions as holy to Jews only. This has been the practice since the establishment of the state in 1948, and to an even greater degree, from 1967 onwards, when places that were also holy to other religions underwent a process of appropriation by the state and were transferred to Jewish possession.

According to an article by Prof. Doron Bar,<sup>20</sup> the establishment of the State of Israel and the founding of the Ministry of Religion led to a veritable revolution in relation to places holy to Jews. For the first time, a government body was established whose job was to manage religious affairs including the holy places. The ministry was run by representatives of the religious Zionist camp, who developed sites holy to Jews. Immediately following the establishment of the Ministry of Religion in August 1948, a Muslim and Druze department began to operate within it, whose roles included responsibility for Muslim holy sites. One of the first activities of this department was to conduct a broad survey that included locating and identifying mosques, cemeteries and Muslim holy places. In practice, many of these holy sites over the years underwent a process of Judaization and began serving the Jewish population of the State of Israel, with the support and encouragement of the government authorities (such as David's Tomb on Mt. Zion in Jerusalem, and Elijah's Cave on Mt. Carmel).

According to Prof. Doron Bar, a number of official and semi-official Israeli agencies took part in the process of the appropriation of Muslim holy places. Among them we note the Custodian of Absentee Property, which in 1950 became officially responsible for protecting and administering the Muslim holy places<sup>21</sup>; the Ministry of Religion, which bears religious and administrative responsibility for these places; as well as various associations such as The Committee for Holy Places (for David's Tomb on Mt. Zion), or the Committee for Elijah's Cave (on Mt. Carmel), established by the Ministry of Religion to operate and maintain these holy places. In some of the cases, Jews began coming

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20) Difference between Muslim and Jewish Holiness: Beginnings of the Process of Judaization of Muslim Holy Places in the State of Israel 1948-1967, Tel Aviv University, *Yisrael* 22 (2014), 133-158.

21) Absentee Property Law – 1950.

there to pray spontaneously at places which were also holy to Muslims, and the Ministry of Religion contributed to their endeavor. A situation thus arose of contradiction and conflict of interest between the responsibility of the Ministry of Religion for the holy places belonging to all religions and ethnicities on the one hand, and the process of Judaization and appropriation of holy places urged by the ministry and other government offices, on the other.

In his article, Prof. Bar recounts in detail the process of the Judaization of David's Tomb on Mt. Zion. Particularly relevant to our matter is the fact that then - Director of the Ministry of Religion, Mr. Shmuel Zanvil Kahana, even served in the role of Head of the Committee for the Holy Places, whose objective was **“to improve Mt. Zion and holy places connected to it in tradition and legend, and to increase its prominence for the Jewish population in Israel and around the world.”**

Following the institution of the Regulations for the Protection of Holy Places for Jews in 1981 - and based on the government decision of 1989 to establish an umbrella organization for all of the governmental and public entities related to the holy places in Israel that would initiate education and marketing activities, strengthen the status of the holy places, and even coordinate and carry out activities at the holy sites - a government non-profit was established, known as the National Center for the Development of Holy Places. According to the report of its board of directors in 2012,<sup>22</sup> the center handles nearly 130 sites **“recognized as holy to the Jewish people from generations past.”** The center manages the ongoing maintenance of the holy sites, such as ushering, provision of services to visitors (water, electricity, cleaning, and supply of ritual articles), collection of charity funds and contributions from visitors, and even attends to architectural aspects.

According to the abovementioned report, in 2012, the Ministry of Tourism granted over 19 million shekels to the National Center for the Development of Holy Places. The website of the Ministry of Tourism<sup>23</sup> states that: **“The Ministry of Tourism is today the organization responsible for holy sites for Jews in Israel. This refers principally to 16 main sites declared as holy by the government, and approximately 160 additional sites considered holy that are maintained and operated at a basic level with state funds. The executive arm that carries out the operation, maintenance and development of these sites for the Ministry is a governmental foundation established for this purpose and called: The National Center for the Development of the Holy Places. The center maintains, operates and develops all of the sites with the exception of the Western Wall, which is maintained by the Western Wall Heritage Foundation. Maintenance and operation of the sites takes place through allocated budgets and development of the sites**

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22) Government Corporations Authority, [National Center for the Development of Holy Places](#)

23) Ministry of Tourism website, [Holy Places in Israel – Status Report](#)

is funded by the charity funds collected subject to approval by the Tzedaka Committee headed by Rabbi of the Kotel (Western Wall) and Holy Places, Shmuel Rabinowitz.” Between the years 2003-2008, the Ministry of Religion was dismantled and its branches dispersed among various government ministries. For example, the National Center for the Development of Holy Places was moved to the Ministry of Tourism. Today, it is unclear what the relationship and division of labor are between the Ministry of Tourism and the Ministry of Religious Services in all that pertains to the administration and operation of the holy places, including the National Center for the Development of Holy Places, since both ministries claim that they operate in holy places under its auspices.

Ostensibly, non-Jewish religious institutions are eligible to receive a budget even if they are not recognized as holy places in the law or in the regulations. In the past, the Ministry of Religious Affairs published a procedure for granting support to non-Jewish religious institutions. With the dismantling of the Ministry of Religion in 2003, the development of structures for non-Jewish religions was placed under the auspices of the Ministry of the Interior, and as far as we know, since then, has not come back under the auspices of the Ministry of Religion. According to the Ministry of the Interior website,<sup>24</sup> there is a department for non-Jewish religious ethnicities, responsible, inter alia, for supporting renovations, construction and preservation of holy places of the various religions. The Ministry of the Interior published “criteria for the distribution of support funding by the Ministry of the Interior for building, development and renovation of religious structures of the non-Jewish religions.”<sup>25</sup> According to these procedures, when certain conditions are met, places such as mosques, churches, Druze temples and cemeteries are eligible for monetary support, even if they are not recognized as holy places under the Protection of Holy Places Law. In practice, the budgets are relatively meager, and in 2014, the Finance Committee approved the transfer of only 9.6 million shekels allocated for the support of non-Jewish ethnicities in the Interior Ministry and including the development of buildings and cemeteries for all non-Jewish religions (Muslim, Christian, Druze, Samaritan, Ahmadiyya and Bahai).<sup>26</sup>

As stated, only 16 holy sites for Jews were recognized in the regulations. The obvious question is how, therefore, were some 160 additional sites added to the complete list? Apparently, this list was composed according to criteria of the Ministry of Religious Services (as it is known today) according to which a holy place is defined as “**a site with a tradition that ties it to a historical figure or event in the history of the Jewish**

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24) Ministry of the Interior website, [About the Department of Religious Ethnicities](#)

25) Published in *Yalqut HaReshumot* 5608, December 25, 2006.

26) Knesset Announcement, [Finance Committee Approves Budget Transfers of 3.4 Billion ILS](#), Knesset website, July 15, 2014.

**people, and constitutes a place of pilgrimage, gathering and prayer on special events, approaching holidays, festival days, the first of the month, and all days of the year.”**<sup>27</sup> It is not clear on whose authority “sanctification” of so many sites for the Jews, including historic sites, takes place, especially considering that it is often unknown to what extent it functioned as a place of worship in the past.

Under the Freedom of Information Law 1998, Emek Shaveh submitted a request to the Ministry of Religious Services to receive a list of the holy places for the various religions and ethnicities in Jerusalem which have been recognized and receive a budget from the ministry.<sup>28</sup> For unknown reasons, the list is not public and is not published on the ministry website. After processing the request for approximately ten months,<sup>29</sup> the National Center for the Development of Holy Places provided a list of 17 holy places for Jews in Jerusalem and its environs that are recognized by the ministry (See Appendix A). In addition, among them, four places holy to Jews and under the responsibility of the National Center for the Development of Holy Places were mentioned (Rachel’s Tomb, the Tomb of the Prophet Samuel, King David’s Tomb, and the Cave of Simon the Just).

The Ministry of Religious Services’ broad definition of a “holy place” is reflected clearly in the list of holy places for Jews delivered to Emek Shaveh. Some of the places are also holy to other religions (for example David’s Tomb, Tomb of Hulda the Prophetess, Shiloah Cave, the Tomb of the Prophets, Rachel’s Tomb, Tomb of Samuel the Prophet, and Jeremiah’s Grotto). The basis for the holiness of some of the places appearing on this list is unclear, and it is unknown whether indeed any worship took place there in the past (for example, Zedekiah’s Cave and Hezekiah’s Tunnel).

The tombs of Samuel the Prophet and Rachel the Matriarch are located in the West Bank, in an area under military control, and therefore, it is unclear how they can be under the “jurisdiction” of the National Center for the Development of Holy Places given that it lacks legal authority to operate outside of Israeli territory (these tombs should be under the auspices of the Judea and Samaria Civil Administration).

The Sanctification of Jeremiah’s Grotto (located near the bus stop on Sultan Suleiman Street in Jerusalem) for Jews, without its being recognized in parallel as holy to the Christians, has now enabled an infringement upon the Garden Tomb, one of the key Christian sites in Jerusalem. The area of Zedekiah’s Cave takes up 15% of the area beneath the Muslim Quarter. Thus, in the absence of formal recognition in the laws or regulation of the cave as holy to Jews, 15% of the underground area of the Muslim

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27) Ministry of Religious Affairs, Director General’s Notice 57/1, December 29, 1996.

28) Request of March 2, 2015.

29) Response of the Ministry of Religious Services, December 16, 2015.



Quarter has become “holy” in Judaism through the workings of the Ministry of Religious Services and the National Center for the Development of Holy Places.

Moreover, the Ministry of Religious Services’ recognition of places as holy to Jews through budgeting, administration and operation has significance on the ground. For example, at Rachel’s Tomb and David’s Tomb, where there were active mosques for centuries, freedom of worship for Muslims has been prevented entirely during the past several decades, and they are approved in practice for Jewish worship only, in keeping with the prohibitions stipulated in Regulation 2(a) of the Regulations for the Protection of Places Holy to Jews (even though these places do not appear in the list of holy places for Jews in the regulations, and the fact that these regulations do not apply to Rachel’s Tomb, located outside of the area of Israeli sovereignty).

The Temple Mount is another place where the status quo is being undermined. Israel is in possession of the keys to the Mughrabi Gate<sup>30</sup> and advances tourism-nationalist-religious works and projects in the area surrounding the Temple Mount (such as the Western Wall Tunnels and the Davidson Tunnel, which will be discussed below). While Israel limits the freedom of worship for Jews there, it also restricts access and freedom of worship for Muslims through security measures. Israel maintains control over the security around and inside the Temple Mount compound, and imposes age limitations on entry based on security forces directives. Emek Shaveh submitted a request to the Israel Police under the Freedom of Information Law 1998, requesting information regarding three holy sites: Church of the Holy Sepulcher, Al-Haram al-Sharif (the Temple Mount) and the Western Wall Plaza.<sup>31</sup> The answer received from the Israel Police<sup>32</sup> stated that the only time when the Israel Police limits entrance to the Church of the Holy Sepulcher is Holy Saturday.<sup>33</sup> Regarding the Western Wall, the Israel Police claims that no entry to the compound is prevented subject to the security check by guards at the entrance to the Western Wall Plaza. As for the Temple Mount/Al Haram al-Sharif, the Israel Police provided a long list of access limitations and partial and full closures. According to the list, in 2014 alone there were 39 days when age-based restrictions were imposed. There is no doubt that from time to time, there are disturbances on the Temple Mount that endanger worshippers at the Western Wall Plaza, but all the restrictions on the list received from the police are explained under the general category of “security sensitive” (for example due to Jewish holidays or Ramadan) and were not imposed due to a specific event or disturbance on the Temple Mount.

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30) D. Halevy, “[Palestinians Demand Keys to the Mughrabi Gate](#),” Arutz 7, November 22, 2015 [Heb.]

31) Request of January 11, 2015.

32) Response of Israel Police, April 29, 2015.

33) Day preceding Christian Orthodox Easter.

## **Legal Non-recognition of the Holy Places and its impact on their Management of All of the Holy Places on Enforcement**

Despite the optimism of the justices of the Supreme Court, without formal recognition and obligation grounded in laws or regulations to manage sites holy to non-Jews, neglect and lack of budget continues to plague them.

In a discussion held in 2000 in the Knesset plenum regarding the neglect of Muslim holy places in Israel,<sup>34</sup> it was stated that cows were roaming inside the church and mosque of the Palestinian village of Ma'alul that had been destroyed in 1948. In response to the charge of MK Hashem Mahamid (United Arab List), MK Nisim Zeev (Shas) replied derisively that the cows “**are making the site holy for you.**” During that time, Mr. Yitzhak Cohen, also of the Shas party, was serving as the Minister of Religious Affairs.

In the aforementioned Adalah petition,<sup>35</sup> it was claimed that due to the lack of formal recognition in law or regulations of Muslim holy places, ongoing damage and lack of prosecution of criminal acts were perpetuated. Indeed, it appears that very few charges have been submitted for crimes according to Par. 170 of the Criminal Code – 1977, and according to Par. 2 of the Protection of Holy Places Law, paragraphs that prohibit inflicting harm on a holy place and stipulating criminal sanctions against those who desecrate them. To date, very few charges have been submitted and only a few individuals have been convicted for a crime under Par. 170 of the Criminal Code (inter alia, those who were convicted included a Jew who vandalized tombstones in a military cemetery,<sup>36</sup> a Jew who spray-painted graffiti in a synagogue in his community of residence,<sup>37</sup> and a Jew who threw a pig's head into the Al-Beq Mosque in Tel Aviv – Jaffa).<sup>38</sup> The number of charges submitted and indictments was also small for crimes committed under Par. 2 of the Protection of Holy Places Law (for example, charges were submitted for plotting to throw a pig's head onto the Temple Mount,<sup>39</sup> Jews were indicted for planning to blow up the Dome of the Rock,<sup>40</sup> and charges were submitted for arson at the Al-Aqsa Mosque<sup>41</sup>).

As long as the policy of avoiding submitting charges for crimes specific to holy places – for various reasons – endures, it becomes, at minimum, increasingly necessary to

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34) Protocol of Knesset Plenum meeting of February 16, 2000.

35) HCJ 10532/04.

36) Crim. Case 34083-00-21, State of Israel v. Cohen (published in Nevo, March 18, 2013).

37) Crim. Case 8118/01, State of Israel v. Har Endi (published in Nevo, December 30, 2003).

38) V. Lubitz, “Prison for Man Who Throws Pig's Head into Hassan Beq Mosque,” Ynet, December 6, 2006 [Heb.].

39) Crim. File (J'm) 108/98 State of Israel v. Avigdor Ben Valerie Eskin (published in Nevo, November 11, 1999).

40) Crim. File (J'm) 203/84 State of Israel v. Menachem Livney (published in Nevo, July 22, 1985).

41) Crim. File (J'm) 173/69, State of Israel v. Daniel Michael Rohan (published in Nevo, December 30, 1969).

press charges for crimes such as damaging or desecrating property based on racist motives.<sup>42</sup> Prima facie, however, it seems that the lack of charges brought is also related to the general powerlessness of the legal authorities when attempting to redress Jewish nationalist crimes.

In any case, these general crimes appearing in the Penal Code are not an exhaustive replacement for the variety of prohibitions stipulated in the provisions of Par. 170 of the Penal Code, in Par. 2 of the Protection of Holy Places Law, and in provisions 2(a) and 5 of the Regulations for the Protection of Holy Places for Jews.



Prayer area under Wilson's Arch abutting the Western Wall Tunnels

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42) N. Shpigel, "[Two Men Indicted for the Church of the Loaves and Fishes Arson Attack](#)," *Haaretz* English edition, July 29, 2015.

## The Antiquities Authority and the Holy Places

The lack of formal recognition through laws or regulations of all of the holy places has consequences for the conduct of the Israel Antiquities Authority. According to the provision in Par. 29c of the Antiquities Law, 1978: **“When an antiquities site is used for religious requirements or devoted to a religious purpose, the Director shall not approve digging or any of the operations enumerated in subsection (a) save with the approval of a Committee of Ministers consisting of the Minister as chairman, the Minister of Religious Affairs and the Minister of Justice.** The repeated attempts by Emek Shaveh to receive information concerning the decisions of the Ministerial Committee to approve excavation or construction at antiquities sites in Jerusalem used for religious purposes or devoted to religious objectives yielded nothing.<sup>43</sup> This shows that the committee did not convene, even though excavations and construction projects were carried out in places considered as holy places, such as the Western Wall Tunnels.

In response to Emek Shaveh’s demand in August 2015 from the Nature and Parks Authority to halt construction works in the Bab al-Rahma Cemetery<sup>44</sup> near the Lions’ Gate, the Nature and Parks Authority said that **“Par. 29(c) of the Antiquities Law, 1978, is not relevant to our matter, since the fencing is not being executed on the cemetery grounds, but in the area of the open public grounds. Going above and beyond, it should be noted that even if fencing had been carried out in the cemetery grounds, an approval by the Committee of Ministers would not be necessary, since it is not an antiquities site used for a religious purpose such as a mosque, but rather, a cemetery.”**<sup>45</sup> As stated, the religious distinction made by the Nature and Parks Authority between a mosque and a cemetery is unclear. How can an ancient but active Muslim cemetery near the Lions’ Gate not be considered an antiquities site that serves a religious purpose, while according to the Ministry of Religious Services, the Tomb of the Kings (located on Salah al-Din Street in Jerusalem), about which it is unknown whether it even was a place of worship, is considered a holy place for Jews?

In August 2015, MK Dov Khenin submitted a parliamentary interpellation to the Minister of Culture asking whether the Committee had convened under Regulation Par. 29 (c) of the Antiquities Law, what sites it had discussed, and what its decisions were.<sup>46</sup> The Minister of Culture replied that: **“The committee has not yet convened under the new government’s tenure, but it met a number of times during the tenure of**

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43) See request of March 2, 2015, and response of the Office of Religious Services of December 16, 2016.

44) Request of August 16, 2015.

45) Response of the Nature and Parks Authority, September 9, 2015.

46) Parliamentary Interpellation No. 130, August 12, 2015.

the previous government, pursuant to the requests that necessitated this. Due to the great sensitivity of this issue, the committee makes decisions based on the professional opinion of the Attorney General, the Director of the Antiquities Authority, planners in the Jerusalem Municipality and the Israel Police. Regarding the Old City of Jerusalem and the Muslim Quarter, the professional position of the Antiquities Authority is that they do not fit the definition of a religious site or a place which serves a religious function, in contrast to the area of the Temple Mount compound, which is defined as a religious space which serves a religious function and is located in an antiquities site, and therefore, convening the Ministerial Committee is required prior to carrying out work, development or excavation in this area. The excavations being carried out today in the Old City are in the area slated for development, expansion, or the laying of infrastructure, and therefore, convening the Ministerial Committee was not required and its approval was not required prior to the director's granting permission to excavate. The requested work was carried out in keeping with the restrictions required by the Antiquities Authority and under the supervision of the Antiquities Authority." When MK Khenin asked the Minister of Culture to relate to specific sites in the Old City, the minister answered: "From the moment that I was appointed to my post, the committee has not been asked to convene, and therefore, I believe that no excavations have been undertaken in holy places. Every excavation in another place, that is not holy, does not require approval of the Ministerial Committee, and therefore, it is carried out according to the existing procedures in place in the areas of the excavations, as is the practice in excavations everywhere in Israel.<sup>47</sup>

In recent years, the Western Wall Heritage Foundation has constructed a number of prayer sites within the Western Wall Tunnels. Under the Freedom of Information Law, Emek Shaveh requested from the Ministry of Religious Services to send it the decisions and protocols of the Ministerial Committee that met according to Par. 29(c) of the Antiquities Law to discuss holy places in Jerusalem, and in particular in the Muslim and Christian Quarters of the Old City.<sup>48</sup> After approximately ten months of processing the request, the official in charge of the Freedom of Information Law in the Ministry of Religious Services sent no information regarding the convening of the committee under Par. 29(c) of the Antiquities Law.<sup>49</sup> Similarly, no information or document was received regarding the convening of the committee based on that same paragraph in the Antiquities Law in response to Emek Shaveh's request for information submitted to the Antiquities Authority about the Western Wall Tunnels,<sup>50</sup> considered to be a

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47) Protocol of the 62<sup>nd</sup> Knesset Plenary Session, November 11, 2015, 256-260.

48) Request of March 2, 2015.

49) Response of the Ministry of Religious Services, December 16, 2015.

50) Request of July 31, 2014.

holy place in the Regulations for the Protection of Holy Places for Jews and appearing inside an underground passage entered from the Western Wall Plaza.<sup>51</sup> The fact that the Ministerial Committee did not meet, even in the matter of the Western Wall Tunnels, attests to avoidance, on the part of the political echelon, of taking responsibility for this sensitive issue.

In recent years, the question of the religious status of the Davidson Center and Archaeological Park arose in the framework of a legal struggle led by the State to cancel an agreement between Jewish Quarter Development Company and the Elad Foundation according to which the management and operation of the Davidson Archaeological Park would be transferred to the Elad Foundation. The state claimed that it had governmental obligations in the Davidson Center compound and also under the Law for the Preservation of Holy Places – 1967, since it was used for private meditation and prayer.<sup>52</sup> Despite this, the court ruled that the state had not succeeded in proving that the Davidson Center was holy by virtue of its being part of the Western Wall Plaza, for a number of reasons: in another proceeding, the State had claimed that the Mughrabi Bridge was not a site that served a religious need or a religious objective, so just as it was not a holy site, so, too, the Davidson Center was not a holy site; in the area of the compound circus and clown performances had been held; the Cabinet Secretary testified that **“It bears no holiness for the Jews. It is part of the wall of the Temple Mount, it is not a place where Jews have prayed for years, but a place from where ascension took place;** the Deputy Minister of Religious Affairs determined that the southern part of the Davidson Compound has no religious status or religious sensitivity of any kind, in contrast to the Western Wall itself; the previous Chief Sephardic Rabbi, Rabbi Shlomo Moshe Amar, determined that the disputed compound lacked holiness; in the collective and individual consciousness of members of the Jewish people, the archaeological park has no status as a holy or special place akin to that of the Western Wall.<sup>53</sup>

Pursuant to Plan No. 10294, the local outline plan applying to the Davidson Center, the overwhelming majority of the area was included in the designated area of the Temple Mount and the Western Wall Plaza. This area is defined as a holy place designated for solitude and prayer. The archaeological sites in the area, including their immediate environs, are slated for preservation.<sup>54</sup> Regarding the significance of Plan 10294, the

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51) Response of the Antiquities Authority, September 16, 2014 and December 22, 2014.

52) Pars. 32-35 of the state's request for a restraining order, March 30, 2014, Civil Claim (J'm) 60379-03-14 **State of Israel v. Jewish Quarter Development Company Inc.**

53) Par. 16 of the Civil Claim (J'm) 60379-03-14 (Published in Nevo, September 8, 2014).

54) Par. 13 of the restraining order submitted by the state in Civil Claim 60379-03-14.

State claimed that from a planning perspective, the Davidson Center is part of the Temple Mount. The court decided that in light of its assertion that the Davidson Center lacked sacred religious status, the State's claim regarding the significance of the planning definition of the site as a holy place devoted to private meditation and prayer could be rejected. The court asserted that **“while local outline plan 10294 determines that the area that is the subject of the plan constitutes part of the Western Wall Plaza that is a holy place dedicated to private meditation and prayer, at the same time, the plan determined that the archaeological sites, including their immediate vicinity, were designated for preservation, and therefore, the area should not be included in the planning for the Western Wall Plaza for the purpose of granting the place holy status.”**<sup>55</sup> Although here the court rejected the claim of holiness for the Davidson Center, this case illustrates how the planning and building system sometimes constitutes a parallel system for the recognition of religious and holy sites, whereby, in effect, every local authority can allocate area or permit use of a plan for a “house of awe” (prayer area or synagogue).<sup>56</sup>

The issue also arose in a petition submitted by Emek Shaveh against Elad's takeover of the Davidson Tunnel – a tunnel that links the antiquities site, known as the Givati Parking Lot, and the Davidson Center, and passes underneath the Davidson Center and adjacent to the southern portion of the Western Wall and its foundations.<sup>57</sup> Despite the court's ruling regarding the Davidson Center, in a manner similar to the Western Wall Tunnels, the Davidson Tunnel is also considered a holy place by virtue of the Regulations for the Protection of Holy Places for Jews, since it serves as an underground passage entered from the Western Wall Plaza. In addition, the tunnel – at least the part of it that passes along the foundations of the Western Wall – is considered in the eyes of the public as holy, and believers leave notes between the stones of the Wall in the tunnel, as is the practice above ground. Whether this practice arises spontaneously from the believers or it is a practice encouraged by Elad (as appears from the video commercial of the tunnel produced by Elad),<sup>58</sup> this is the state of affairs. Despite this, in order to convince the court to approve the agreement to grant them permission to manage or operate the Davidson Tunnel, Elad claims the reverse – that the tunnel, and the foundations of the Western Wall in the tunnel in particular, are not holy.<sup>59</sup>

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55) Par. 17 of the Ruling on Civil Claim (J'm) 60379-03-14 (Published in Nevo, September 8, 2014).

56) See file of the Jerusalem Local Affairs Court, 2630/09, **State of Israel v. Phillip Dolman** (published in Nevo, April 2, 2009).

57) HCJ 2451/15.

58) City of David, [Pilgrimage Route from Silwan Pool to the Western Wall](#), April 5, 2012.

59) Response of Elad, June 14, 2015, HCJ 2451/15.

As stated, unlike the Davidson Center, in another proceeding the state claimed that the Mughrabi Bridge was not a site that served a religious need or objective.<sup>60</sup> The Antiquities Authority claimed that excavations carried out at the Mughrabi Bridge did not require the approval of the Ministerial Committee according to Par. 29(c) of the Antiquities Law, since the rampart was not an antiquities site that served a religious need.<sup>61</sup> This claim by the Antiquities Authority contradicts the definition in the Regulations for the Protection of Holy Places for Jews, according to which **“every aboveground passage to the Western Wall and its plaza”** is a holy place (and therefore, the Mughrabi Bridge must be viewed as a holy place according to the regulations, as an aboveground passage entered from the Western Wall Plaza).

And we ask: Why is every aboveground and underground passage to the Western Wall Plaza considered holy, while the ascent to the Temple Mount is not?

It should be emphasized that the directive of Par. 29(c) of the Antiquities Law (which obligates a Ministerial Committee to approve an excavation in a holy place) does not demand that a site will be recognized in law or regulation as holy in order to be considered as such. The language of the paragraph simply defines it as a place **“that serves a religious purpose or is devoted to a religious objective.”** According to the wording of this paragraph, the Ministerial Committee ought to be convened for every cemetery, grave or house of prayer. As stated, in Jerusalem, the Antiquities Authority does not comply with the directive of Par. 29(c) of the Antiquities Law: neither in places recognized as holy in the Regulations for the Protection of Holy Places for Jews, nor in the case of places not recognized as holy in the regulations but that serve a religious need or are designated for a religious purpose. Recent examples include the decision to build a 900-meter prayer plaza at the Davidson Center Archaeological Park, while already a section of the site is used for a religious purpose and expansion will make it flush with the southern portion of the Western Wall and the Temple Mount. Another example is the Western Wall Heritage Foundation’s plan to built Beit HaLiba (HaLiba House) in the Western Wall Plaza (Plan No. 11053), and Elad’s plan to build a visitors’ center that will incorporate Miriam’s Spring, holy to Christians and Jews (Plan No. 13901). It is not known whether the Antiquities Authority convened the committee regarding these three cases and if it intends to convene it in the future.

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60) Admin. Petition (J’m) (1488/09) **Dr. Mahmoud Masalha v. Appeals Subcommittee of the National Planning and Building Council et al** (Published in Nevo, September 5, 2010).

61) Par. 33 of Ruling on Admin. Petition (J’m) 1488/09.





Part of the Western Wall Tunnels from the early Islamic period



Archaeological area near Robinson's Arch/Davidson Center

## Summary

Even before the establishment of the State of Israel, the land's holy sites were a focal point of religious and national struggles. The State of Israel "inherited" from the Ottoman government, the British Mandate and the UN, a list of holy places as well as the principle of preserving the status quo.

Both despite and because the holy places were drawn into the Israeli-Arab conflict, there is no exhaustive definition in the law of what constitutes a "holy place." The tremendous sensitivity of the issue gave rise to a complex legal reality, in which a mix of laws and authorities in Israel address the issue of the holy places and define them variously.

The State of Israel's attitude towards the holy places is a kind of "organized mess," which was intended to enable ambiguity and administrative flexibility at the sites. Thus did it come to pass that only 16 places today are officially recognized as holy for Jews in the Regulations for the Protection of Holy Places for Jews, 1981, while some 160 additional places are recognized as holy for Jews through state authority budgets, as well as actual administration and operation. This flexibility serves the need of managing holy places with sensitivity yet also enables the Judaization and gradual state takeover of these sites, in more or less formal ways. For example, through the "sanctification" of Zedekiah's Cave and the "sanctification" of the Western Wall Tunnels, which are being expanded into the Christian and Muslim Quarters, the State of Israel is appropriating new areas in the Old City for the benefit of Jews.

The ostensibly informal administration of the holy or religious places is also manifested in the Antiquities Authority's avoidance of convening the Ministerial Committee, as the Antiquities Law requires. This arises from the tremendous sensitivity of the matter and the desire to create the false impression that the decisions regarding antiquities sites that also serve as holy and religious places are made at the bureaucratic-professional level and not at the policy-making echelon.

Due to the issue's sensitivity, if the State of Israel had adhered to the status quo in 1948 and continued to maintain it even after the takeover of additional key holy places in 1967, indeed the continued formal non-recognition in law or in the regulations of the other places holy to Jews and other religions would be logical. But since the State of Israel has repeatedly violated the status quo in the holy places in various ways, the formal non-recognition has been manipulated in the service of irresponsible and dangerous behavior, leading to frequent violations of Israel's international obligations.

Annex

*Handwritten:* Police Dept  
11/2015



המרכז הארצי לפיתוח המקומות הקדושים  
THE HOLY SITES AUTHORITY

בס"ד.

מקומות קדושים בירושלים

- |                |                       |
|----------------|-----------------------|
| ירושלים        | 1. הכותל המערבי -     |
| ירושלים        | 2. חפירות הכתל -      |
| ירושלים        | 3. קבר דוד המלך       |
| ירושלים        | 4. מערת שמעון הצדיק   |
| ירושלים        | 5. מערת צדקיהו -      |
| ירושלים        | 6. מערת ירמיהו        |
| ירושלים        | 7. מערת הנביאים -     |
| ירושלים        | 8. קבר עובדיה מברסטרא |
| ירושלים        | 9. קבר חולדה הנביאה   |
| ירושלים        | 10. די אבשלום         |
| ירושלים        | 11. קבר זכריה         |
| ירושלים        | 12. נקבת השילוח       |
| ירושלים        | 13. מערת השילוח       |
| ירושלים        | 14. קברי המלכים -     |
| ירושלים        | 15. מערת הסנהדרין -   |
| ירושלים        | 16. קבר רחל אמנו -    |
| פאתי בית לחם   | 17. קבר שמואל הנביא - |
| רמות - ירושלים |                       |

באחריות המרכז הארצי:

- קבר רחל אמנו
- קבר שמואל הנביא
- קבר דוד המלך
- מערת שמעון הצדיק

בע"מ: מנחם יצחקי, ירושלים ת.ד. 34408, מ"ט 02-6540303-02, טלפקס 02-6540877-20  
P.O.B 34408 JERUSALEM TEL. 02-8540303 FAX: 02-6540877

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List of holy places in Jerusalem received from the Holy Sites Authority, November 2015

## The Holy Sites Authority

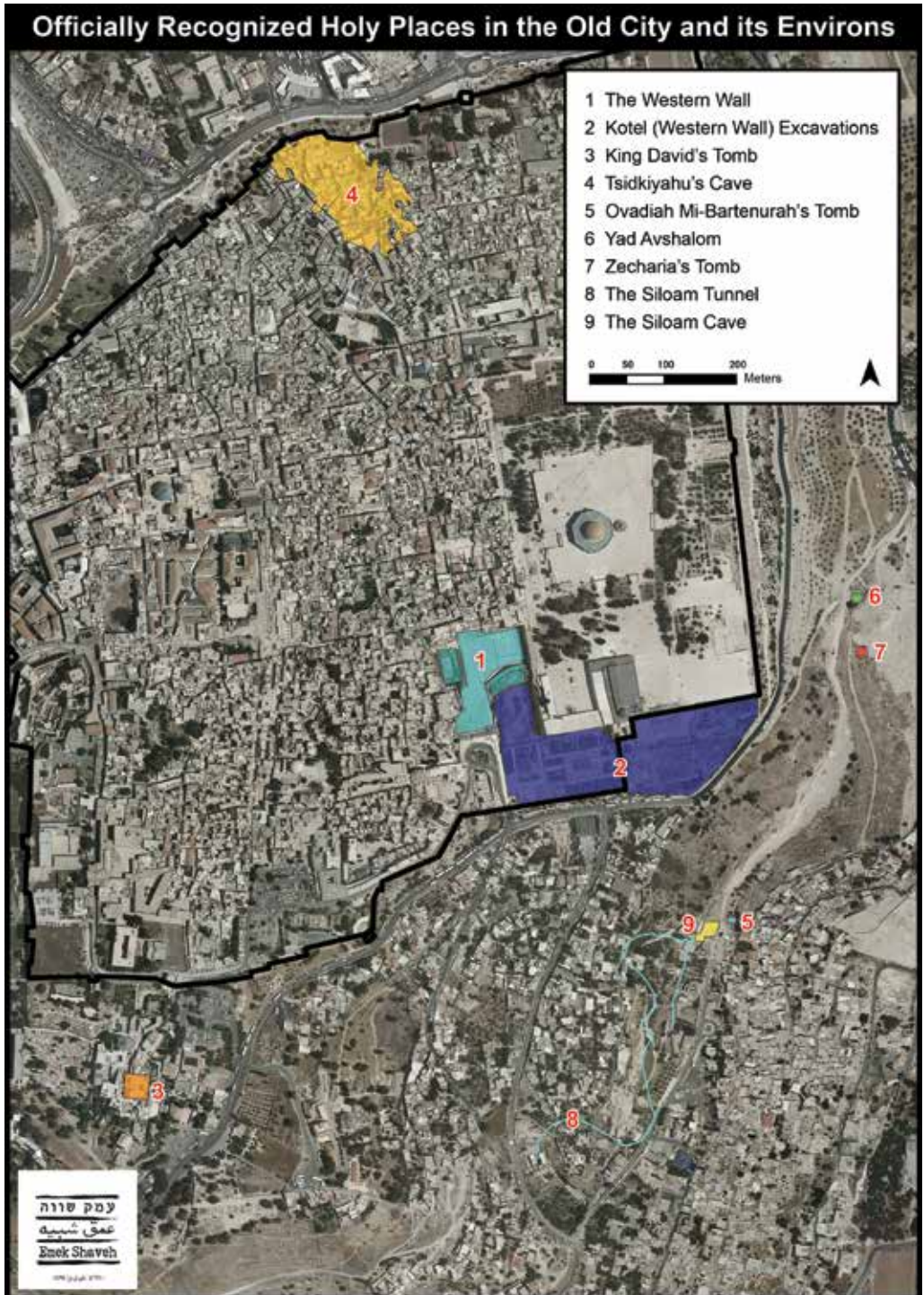
1. The Western Wall-Jerusalem
2. Kotel (Western Wall) Excavations-Jerusalem
3. King David's Tomb-Jerusalem
4. Shimon Ha-Tzadik Tomb -Jerusalem
5. Tsidkiyahu's Cave-Jerusalem
6. Jeremiah's Grotto -Jerusalem
7. The Prophets' Tomb-Jerusalem
8. Ovadiah Mi-Bartenurah's Tom-Jerusalem b
9. The Prophetess Hulda's Tomb-Jerusalem
10. Yad Avshalom-Jerusalem
11. Zacharia's Tomb-Jerusalem
12. The Siloam Tunnel-Jerusalem
13. The Siloam Cave-Jerusalem
14. The Kings' Tombs-Jerusalem
15. The Senhadrin Cave-Jerusalem
16. Rachel's Tomb-Bethlehem Envrions
17. The Prophet Samuel's Tomb-Ramot, Jerusalem

Under Jurisdiction of the National Central:

Rachel's Tomb  
Prophet Samuel's Tomb  
King David's Tomb  
Shimon Ha-Tsadik's Tomb

Sender: Bracha Trop

# Maps



## Officially Recognized Holy Graves in East Jerusalem



